

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

DATE:

v.

CRIMINAL NO. 03- -M

JEFFREY KOENISBURG

VIOLATION: 16 U.S.C. § 470ee
(Theft in violation of the
Archaeological Resources
Protection Act-1 Count)

Consent to Proceed Before
U.S. Magistrate Judge

INFORMATION

THE UNITED STATES ATTORNEY CHARGES THAT:

1. The National Park Service was created in 1916 to preserve lands of special geographical and historical significance in the United States and to otherwise preserve natural and historic objects within those lands unimpaired for the enjoyment of future generations.

2. On the bicentennial of Independence Day, July 4, 1976, Valley Forge National Historical Park was established to preserve and commemorate the land to which the soldiers of the Continental Army retreated during the difficult winter of 1778-1779. The Park honors the suffering, hardship, determination and resolve of heroic proportions by soldiers under the leadership of General George Washington and ultimately uniting after a winter's encampment at Valley Forge, to become a disciplined, supplied and trained American army.

3. The Valley Forge National Historical Park is on the Register of Historic Places. This is in part in recognition of its importance as a site that has and is likely to continue to yield archeological properties of the highest significance, relating to the

Revolutionary encampment of General Washington's army at the site and pre-Revolutionary colonial life. As a result, unapproved excavation and removal of archaeological resources is unlawful.

4. Unlike some protected lands, before its designation as the Valley Forge National Historical Park, the Park was in the hands of the Commonwealth as well as private hands, was cultivated as farmland and was otherwise subject to third party interventions, thus, limiting the areas in the Park in which it is likely to find archaeological resources.

5. There are areas of Valley Forge National Historical Park, however, that have been protected by forest and woods from damage and destruction of archaeological resources. These include areas that are along the borders of the Park, which in some cases track the outer defensive line of the Revolutionary troops against possible British invasion and in others follow along a road that was in use by the town of Valley Forge in pre-Revolutionary and Revolutionary times.

6. On or about August 16, 2003, at Valley Forge National Historical Park, in the Eastern District of Pennsylvania, defendant

JEFFREY KOENISBURG

without having previously applied for or been issued a permit, knowingly excavated holes within Valley Forge National Historical Park at a site approaching its border, on which there had been during pre-revolutionary times and during Washington's

encampment a blacksmith shop, and removed from those excavations archaeological resources each of which was over 100 years old, namely three hand-crafted nails, the value of which collectively do not exceed \$500.

In violation of Title 16, United States Code, Section 470ee.

PATRICK L. MEEHAN
United States Attorney